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COMBATING TERRORISM

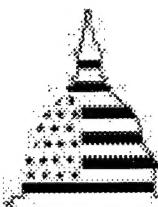
Issues to Be Resolved to Improve Counterterrorism Operations



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**National Security and
International Affairs Division**

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May 13, 1999

The Honorable Ike Skelton
Ranking Minority Member
Committee on Armed Services
House of Representatives

The Honorable Christopher Shays
Chairman, Subcommittee on National Security,
Veterans Affairs, and International Relations
Committee on Government Reform
House of Representatives

Terrorist attacks against U.S. personnel and interests domestically and abroad highlight the need for effective U.S. efforts to combat terrorism. As requested, we prepared this unclassified summary of our February 1999 classified report to you on interagency counterterrorist operations. Specifically, we examined how agencies worked together in counterterrorist operations and special events; strengths and weaknesses of international and domestic counterterrorist exercises; and agency and interagency processes to capture and share lessons learned.

Results in Brief

In the last 3 years, federal agencies have conducted several successful interagency operations overseas, including some in which suspected terrorists have been returned to the United States to stand trial. In addition, federal agencies have deployed personnel and equipment to prepare for many special events such as the Atlanta Olympic Games. However, federal agencies have not completed interagency guidance and resolved command and control issues. Proposed interagency Domestic Guidelines have not been completed, nor coordinated with all federal agencies with domestic counterterrorism roles. For example, the Federal Bureau of Investigation (FBI) has not coordinated the proposed Domestic Guidelines with the Department of the Treasury even though it could have a significant role in an actual terrorist incident. Furthermore, approval of proposed interagency International Guidelines has been delayed because the Department of State, the Department of Justice, and the FBI have not reached agreement on the level of State participation in highly sensitive missions to arrest suspected terrorists overseas. In addition, some interagency and intergovernmental command and control issues regarding domestic counterterrorist operations have not been fully resolved.

To improve their preparedness to respond to terrorist incidents, federal agencies have conducted over 200 exercises, of which about half included three or more federal agencies and about one third included state and local participants. However, agencies have not fully achieved the interagency counterterrorist exercise program directed in a June 1995 Presidential Directive because an interagency Exercise Subgroup has not prepared and submitted, and senior agency officials have not approved, an interagency program. As a result, some complex transfers of command and control between agencies have not been exercised. International counterterrorism exercises, sponsored for many years by the Department of Defense (DOD), are relatively comprehensive in that they include many federal agencies and test tactical units along with State Department's leadership role and DOD's command and control. In contrast, domestic exercises sponsored by the FBI and the Federal Emergency Management Agency (FEMA)--the lead federal agencies for domestic operations--are not as comprehensive. The FBI exercise program focuses on its regional and field offices' tactical capabilities to respond and generally has not included the Bureau's full interagency leadership role that is expected to be critical during a domestic terrorist incident. Recently, the FBI has made significant progress and taken steps to enhance its program in this regard. The FEMA counterterrorism exercise program consists of tabletop exercises and does not include field exercises that would deploy personnel and equipment, and practice roles and responsibilities in realistic settings.

DOD, the Department of Energy (DOE), and FEMA have requirements and processes in place to capture lessons learned from counterterrorist operations and exercises. These agencies, however, did not capture lessons learned for all the exercises they led or all the field exercises they participated in. Other federal agencies had less rigorous requirements and processes for capturing lessons learned. There is also no requirement or process to capture lessons learned at the interagency level. Establishing a process to record and share the lessons learned of counterterrorism operations and exercises would be beneficial and could improve future operations.

In our classified report, we made several recommendations to enhance interagency guidance, command and control, exercises, and processes to capture and share lessons learned.

Background

The U.S. policy and strategy on combating terrorism have been evolving since the 1970s and are articulated in Presidential Directives and implementing guidance. These guidance documents divide activities to combat terrorism into three elements: preventing and deterring terrorism; responding to a terrorist crisis, and managing the consequences after a terrorist attack. One of the highest priorities in the federal government is to prevent and prepare for terrorist attacks that use weapons of mass destruction (WMD).¹ Crisis management includes efforts to stop a terrorist attack, arrest terrorists, and gather evidence for criminal prosecution. Consequence management includes efforts to provide medical treatment and emergency services, evacuate people from dangerous areas, and restore government services. When terrorist attacks occur without adequate threat warning, crisis response and consequence management will be concurrent activities.

U.S. Policy, Lead Agencies, and Guidance

U.S. policy to combat terrorism was formalized in 1986 with the issuance of National Security Decision Directive 207, which primarily focused on terrorist incidents overseas. After the bombing of a federal building in Oklahoma City, Oklahoma, the President issued Presidential Decision Directive (PDD) 39 in June 1995, which enumerated responsibilities for federal agencies in combating terrorism, including domestic incidents. In May 1998, the President issued PDD 62 that reaffirmed PDD 39 and further articulated responsibilities for specific agencies. PDD 62 also established a National Coordinator for Security, Infrastructure Protection, and Counterterrorism, within the National Security Council, to coordinate agencies' programs. These directives, and the guidelines and contingency plans that implement them, call for robust, tailored and rapidly deployable interagency teams to conduct well-coordinated and highly integrated operations.

PDDs 39 and 62 assigned or reaffirmed lead and supporting roles to various federal agencies and established interagency support teams. The State Department is the lead agency for international terrorist incidents. An interagency Foreign Emergency Support Team (FEST) was established to provide advice and support to U.S. ambassadors, Washington decision-makers, and host governments. Similarly, the FBI is the lead federal agency

¹For the purpose of this report, WMD are defined as nuclear, biological, and chemical weapons or agents. Within the federal government, there is disagreement as to the precise definition, especially whether large conventional explosives should be included.

for domestic crisis response. An interagency Domestic Emergency Support Team (DEST) was established to provide advice and support to FBI on-scene commanders. Both the FEST and DEST consist of rapidly deployable interagency teams tailored to the specific terrorist incident. For example, experts from DOD, DOE, the Department of Health and Human Services (HHS) or the Environmental Protection Agency (EPA) might be part of the teams if the incident involved WMD. The State Department and the FBI determine the composition of the FEST and DEST, respectively. The PDDs also affirmed FEMA as the lead agency for coordinating consequence management in domestic incidents. Other agencies have important support roles in combating terrorism. For example, DOD could provide significant support to other agencies, both for international incidents and for domestic incidents involving WMD. DOE provides support and technical expertise related to nuclear devices and radiological events. EPA provides expertise and support in incidents involving certain hazardous chemicals. The U.S. Secret Service designs and implements operational security at designated special events to provide protection against terrorist attacks.²

Lead federal agencies drafted interagency guidance to provide operational details for implementing PDD 39. The State Department, as the lead federal agency for international incidents, drafted "Coordinating Subgroup Guidelines for the Mobilization, Deployment, and Employment of U.S. Government Elements in Response to an Overseas Terrorist Incident" (also known as the International Guidelines). The International Guidelines outline procedures for deploying the FEST and otherwise coordinating federal operations overseas. The FBI, as lead federal agency for domestic crisis response, drafted "Guidelines for the Mobilization, Deployment, and Employment of U.S. Government Agencies in Response to a Domestic Terrorist Threat or Incidence in Accordance With Presidential Decision Directive 39" (also known as the Domestic Guidelines) and the "United States Government Interagency Domestic Terrorism Concept of Operations Plan" (also known as the CONPLAN). The Domestic Guidelines describe specific procedures and responsibilities of deploying the DEST, particularly in WMD incidents, while the CONPLAN provides overall guidance to federal, state, and local officials on how the federal government is structured to respond to a terrorist threat or incident in the United States. FEMA, the lead federal agency for domestic consequence management, coordinated and completed an interagency annex to the Federal Response

²For more detailed information on interagency coordination mechanisms and the roles and responsibilities of lead and supporting federal agencies, see our report entitled Combating Terrorism: Federal Agencies' Efforts to Implement National Policy and Strategy (GAO/NSIAD-97-254, Sept. 26, 1997).

Plan that discusses how the federal government would assist state and local authorities in managing the consequences of a terrorist attack in the United States. Support agencies developed their own guidance to be used to support an interagency terrorism response. For example, DOD developed a detailed contingency plan to guide its actions in deploying and responding to a terrorist incident and HHS developed a plan to deal with the health and medical consequences of terrorist attacks.

Issues Identified Through Congressional Oversight and Legislation

In 1996, a congressional committee held hearings to provide oversight of counterterrorism programs, highlighting interagency operational and coordination challenges and issues. In 1996, the Nunn-Lugar hearings focused on the preparedness of the federal government to conduct counterterrorist operations at the agency, interagency, and intergovernmental levels (i.e., with state and local governments).³ Some of the issues highlighted in the hearings were as follows:

- Domestic interagency counterterrorism exercises should be more comprehensive and held more often and should go beyond tabletop exercises to field exercises where personnel and equipment rapidly deploy to a location and practice their activities.
- The FBI and FEMA needed to exercise their operations together when crisis response and consequence management was concurrent.
- Domestic interagency counterterrorism exercises should include the full array of federal, state, and local agencies.
- Individual agencies should capture lessons learned from counterterrorism exercises, disseminate such lessons both internally and externally, and track corrective actions.
- There should be an interagency process to capture lessons learned and track corrective actions.

Following the Nunn-Lugar hearings, Congress passed the Defense Against Weapons of Mass Destruction Act of 1996 (commonly known as the Nunn-Lugar-Domenici Act).⁴ The act designated DOD as the lead agency to enhance domestic preparedness for WMD terrorism by providing federal,

³These hearings were sponsored by Senators Nunn and Lugar of the Permanent Subcommittee on Investigations of the Senate Committee on Governmental Affairs in March 1996. See Senate Hearing 104-422 part III.

⁴See title XIV of the National Defense Authorization Act for Fiscal Year 1997 (P.L. 104-201, Sept. 23, 1996).

state, and local emergency response personnel with, among other things, training and advice. The legislation led to the creation of the Nunn-Lugar-Domenici Domestic Preparedness Program, which was intended to be an interagency and intergovernmental effort among key agencies with responsibilities for crisis and consequence management in the event of a terrorist incident. We reported separately on the implementation of this program.⁵

Agencies Operate Together But Need to Resolve Key Issues

We found that federal agencies worked together and generally coordinated their counterterrorist activities. For example, federal agencies carried out several overseas operations and prepared for domestic special events. However, interagency guidance for coordinating federal operations—both overseas and domestically—has not been approved or fully coordinated. In addition, several command and control issues related to domestic operations have not been resolved.

Agencies Successfully Performed Operations and Prepared for Special Events

In the 3 years following PDD 39, federal agencies successfully participated in many counterterrorist activities. In actual operations and special events, agencies generally coordinated their activities. For example, we examined several overseas counterterrorist operations and found that agencies generally followed the draft interagency International Guidelines. DOD, the FBI, and the Central Intelligence Agency (CIA) performed their respective roles in military planning, law enforcement, and intelligence gathering under the oversight of the State Department (e.g., the ambassador). Minor interagency tensions or conflicts during these operations were resolved and did not appear to have posed risk to the missions. Examples of these overseas operations include several overseas arrests to bring suspected terrorists back to the United States for trial outside of normal extradition channels. Interagency teams consisting of the FBI, the State Department, DOD, and CIA conducted these missions. These arrests included those of Ayyad Najim in July 1995, Wahli Khan in December 1995, Tsutomu Shirasaki in September 1996, Matwan Al-Safadi in November 1996, Mir Aimal Kansi in June 1997, and Mohamed Said Rasheed in June 1998.⁶

⁵See Combating Terrorism: Threat and Risk Assessments Can Help Prioritize and Target Program Investments (GAO/NSIAD-98-74, Apr. 9, 1998) and Combating Terrorism: Opportunities to Improve Domestic Preparedness Program Focus and Efficiency (GAO/NSIAD-99-3, Nov. 12, 1998).

⁶Other successful overseas arrests just outside our scope (June 1995 to June 1998) included those of Ramzi Yousef in February 1995 and Mohamed Sadeek Odeh and Mohamed Rasheed Daoud Al Owhali in August 1998.

Key agencies have also prepared for and deployed personnel in advance to many special events. Special events are high visibility events in which federal agencies initiate contingency measures. For recent major special events, such as the 50th anniversary of the United Nations in 1995, the Atlanta Olympic Games in 1996, and the Presidential Inauguration in 1997, federal agencies prepared contingency plans for a possible terrorist attack and provided protection to the President and other dignitaries. For example, federal agencies sending advance or contingency teams to the Atlanta Olympics included Secret Service, the FBI, FEMA, DOD, DOE, HHS, EPA, CIA, the State Department's Bureau of Diplomatic Security, the Bureau of Alcohol Tobacco and Firearms (ATF), the U.S. Customs Service, the Internal Revenue Service, and the Nuclear Regulatory Commission (NRC). Federal agencies also exercised their personnel together in advance of these events against various counterterrorism scenarios. For example, before the Atlanta Olympics, federal agencies conducted eight exercises with scenarios specific to the games. Our review of these special events indicated that most agencies involved gained valuable experience in coordinating their activities. Agency officials cited special events as successful efforts to integrate personnel and assets across federal agencies. In preparing for such events, federal agencies also worked closely with state and local agencies and nongovernmental organizations. These operations and special events enhanced federal agencies' abilities to coordinate and integrate their activities.

Interagency Guidance Not Approved or Fully Coordinated

With the exception of FEMA, lead federal agencies have not completed interagency guidance on counterterrorist operations more than 3 1/2 years after PDD 39 directed them to do so. The FBI, which drafted the Domestic Guidelines and CONPLAN, coordinated drafts of these documents with five other federal agencies (FEMA, DOD, DOE, HHS, and EPA) that could have major operational roles in a domestic terrorist incident. These federal agencies have still not given their final approval to either document. Further, the FBI has not coordinated the Domestic Guidelines or the CONPLAN with other federal agencies that would have counterterrorist roles in certain circumstances, such as Treasury Department, the NRC, and the Departments of Transportation and Agriculture. Of the agencies omitted, the Treasury Department is the most significant, due to its special capabilities that have been called upon and could be needed in a variety of possible terrorist incidents. For example, the Secret Service protects the President and other designated protectees from terrorist attacks and plays

a key counterterrorist security role at major special events. The U.S. Customs Service provides aircraft at special events to detect and monitor aircraft activity and to perform interception if necessary. ATF supports FBI investigations of terrorist crimes involving explosives. In addition, the Treasury Department has numerous field personnel who could support FBI crisis management efforts. The NRC would provide expertise and technical support in a terrorist incident involving facilities, materials, and activities that it licenses (e.g., nuclear power plants). The Department of Transportation includes the Federal Aviation Administration, which has jurisdiction over aircraft hijackings in certain circumstances, and the Coast Guard, which has jurisdiction over hazardous materials (e.g., WMD) in U.S. waterways. The Department of Agriculture is responsible for providing emergency food assistance. Department of Agriculture officials said they would monitor and ensure the safety of the food supply where a WMD agent is released, potentially contaminating crops or livestock or food processing facilities.

FBI officials said that they coordinated the Domestic Guidelines and CONPLAN with the five other agencies (FEMA, DOD, DOE, HHS and EPA) because those agencies were cited most prominently in PDD 39. However, PDD 39 also cited Treasury as having an important role in counterterrorism. These officials told us that they plan to coordinate the Domestic Guidelines and CONPLAN with other agencies once the FBI and the five other agencies agree on the documents. FBI officials did not have an estimate on when the five agencies would approve either document or when these documents would be coordinated with other appropriate agencies. We believe that the FBI, as lead federal agency for crisis management in domestic terrorist incidents, would better serve that role by fully coordinating both documents with all federal agencies that have counterterrorist roles.

The International Guidelines have also not been approved as final. These guidelines, which were drafted by the State Department and provide procedures for overseas incidents and operations, had not been approved because of differences among agencies about overseas arrests. Specifically, the Departments of State and Justice have not reached agreement on specific operational issues related to these missions. Since our classified report was issued, a State Department official told us the Department deleted procedures for these arrests from the International Guidelines to expedite their approval, but the different views on operational matters continue. He stated that the guidelines are in the final coordination stage.

Command and Control Issues Require Resolution

The FBI and the Secret Service were not always coordinating their command and control structures or contingency plans with each other in the period we reviewed. FBI and Secret Service officials acknowledged that the two agencies had not worked well together, and cited efforts underway to improve coordination and cooperation between the two agencies for special events. Specifically, the Directors of the FBI and Secret Service mutually agreed to a command and control plan and signed the agreement in October 1998. This agreement has been submitted to the Attorney General and the Secretary of the Treasury for final approval. The two agencies also stated that they recently had conducted a joint tabletop exercise to test their command and control relationship.

DOD needs to clarify its internal command and control structure for domestic operations. Although not a lead federal agency, DOD could have a major supporting role in any federal response to terrorist incidents in the United States, particularly those involving WMD. In reviewing DOD's participation in domestic support operations, special events, and exercises, we found several command and control issues where guidance was either confusing or conflicting. To resolve these issues, DOD is undertaking a high-level review of its support to civilian authorities, generally under the rubric of "homeland defense." The National Defense Panel recommended that DOD emphasize homeland defense more, and use military assets to assist law enforcement agencies in combating terrorism, and incorporate its forces into all levels of government to manage the consequences of a WMD-type attack.⁷ The Chairman of the Joint Chiefs of Staff has chartered a study called "UCP 21," which is reviewing these issues and may recommend changes to the Unified Command Plan—the overall command structure for military forces.⁸

There are also unresolved issues of intergovernmental command and control (i.e., whether the federal, state, or local government is in charge) in certain circumstances. For consequence management, federal guidance—the Federal Response Plan and its Terrorism Incident Annex—indicates

⁷The National Defense Panel was an independent nonpartisan group of private sector experts, established by Congress to review the national security strategy. The panel issued a report, Transforming Defense: National Security in the 21st Century, in December 1997.

⁸By statute (10 U.S.C. 161), the Chairman, Joint Chiefs of Staff, conducts a biennial review of the Unified Command Plan and recommends revisions as appropriate. For more information on this process, see Unified Command Plan: Atlantic and Southern Command Participation in 1995 Review (GAO/NSIAD-97-41BR, Dec. 5, 1996).

that state and local authorities are in overall charge of recovery efforts and that the federal government is in a support role. For crisis management, the overall leadership of the response at the incident site is not as clear. The FBI has recently taken some steps to work with state and local governments to better define their respective lead and support roles in managing a terrorist crisis.

Strengths and Weaknesses in Counterterrorist Exercises

PDD 39 required key federal agencies to ensure that their counterterrorist capabilities were well exercised. We found that federal agencies had conducted a number of counterterrorist exercises following PDD 39. However, while agencies were exercising together, there was no formal interagency program as envisioned in PDD 39. We also found that international crisis management exercises were more comprehensive than domestic crisis exercises, though neither included scenarios of no-warning terrorist attacks. Consequence management exercises sponsored by FEMA were not comprehensive, but other federal agencies were making progress exercising their capabilities.

Agencies Conducted Many Exercises Since PDD 39

Federal agencies conducted 201 exercises to improve their preparedness for counterterrorist operations in the past 3 years. In general, exercises test and validate policies and procedures, test the effectiveness of response capabilities, and increase the confidence and skill level of personnel. In addition, exercises identify strengths and weaknesses before they arise in an actual incident. Exercises further allow agencies to apply operational lessons learned from past exercises and actual deployments. In counterterrorism, where federal operations are inherently interagency matters, exercises also allow the various departments' and agencies' personnel to become familiar with each others' missions and procedures and learn to coordinate and operate together. Interagency exercises can help identify aspects of cooperation that work well and problems and conflicts that require interagency resolution. Table 1 shows the number of federal counterterrorism exercises that different agencies participated in and led.

Table 1: Agency Participation and Leadership in Federal Counterterrorism Exercises in the 3 Years Following PDD 39 (June 1995 to June 1998)

Agency	Total exercises	
	Participated in	Led
DOD	143	97
FBI	99	24
FEMA	76	16
HHS	68	3
Secret Service	65	46
EPA	47	1
DOE	36	5
State	24	1
CIA	21	0
Department of Veterans Affairs	12	4
ATF	10	4
Other	36	3

Note: When more than one agency sponsored an exercise, all sponsoring agencies were counted as the lead agency; thus, the column total exceeds 201 exercises. CIA noted that while it does not lead these types of exercises, it practices its support role through participation in other agencies' exercises. Other federal agencies include the Department of Transportation; U.S. Capitol Police; and 13 other agencies, offices, or bureaus.

Source: Our analysis of agencies' data.

The agencies conducted a mixture of tabletop exercises in which agency officials discuss scenarios around a table or other similar setting, and field exercises where agency leadership and operational units actually deploy to practice their skills and coordination in a realistic field setting. Of the total 201 exercises, 85 (or 42 percent) were tabletop exercises and 116 (or 58 percent) were field exercises. Counterterrorism exercises included both conventional and WMD scenarios to prepare federal agencies for a wide variety of possible situations. In many of the exercises, federal agencies gained experience working together. Of the 201 federal counterterrorist exercises, 140 (or 70 percent) were interagency exercises—Involving more than one federal department or independent agency.⁹ Of these 140 interagency exercises, 96 were major interagency

⁹For the purpose of this report, we defined "interagency" as involving more than one federal department or independent agency. For example, DOD-led exercises that included both Army and Navy participation, or Justice-led exercises that included the FBI and Bureau of Prisons participation, were not considered interagency exercises.

exercises and included three or more departments or independent agencies. In some of the exercises, federal agencies also gained experience working with state and/or local authorities, and nongovernmental organizations. Specifically, 69 (or 34 percent) of the 201 exercises were intergovernmental, and 18 (or 9 percent) included nongovernmental or other private organizations. Four exercises included foreign government participation to simulate federal agency integration in international incidents.

Interagency Exercise Program Has Not Been Fully Achieved

We found that there was no formal interagency exercise program as envisioned in PDD 39. The National Security Council established an interagency Exercise Subgroup co-chaired by the State Department (for international exercises) and the FBI (for domestic exercises) that also included FEMA, DOD, HHS, DOE, EPA, CIA, NRC, and the Departments of Transportation and Agriculture as members. The purpose of the Exercise Subgroup is to promote interagency discussions of exercises, but it has not implemented PDD 39 requirements to prepare or receive approval for interagency exercise objectives and a schedule of exercises. Interagency field exercises occur when individual agencies, particularly DOD and DOE, invite other agencies to participate. Because individual agencies that sponsor or participate in exercises tend to focus on their own roles, some complex transfers of command and control between agencies have not been exercised, particularly in domestic scenarios. We believe that without interagency exercises objectives set by the Exercise Subgroup, agencies are not likely to exercise these key scenarios. As a result, the federal government will be less prepared to respond in a tailored, synchronized manner if an incident occurs. Officials from State, FBI, DOD, DOE, EPA, and HHS said that the Exercise Subgroup has fallen short of achieving its full objectives. These officials cited a number of obstacles to full implementation of the group as envisioned in PDD 39 and in the group's charter.

Despite the incomplete implementation of an interagency exercise program as envisioned in PDD 39, in the 3 years since PDD 39, there were 96 counterterrorist field and tabletop exercises involving 3 or more agencies. These interagency exercises occurred because individual sponsoring agencies, such as DOD, invited other agencies to participate in their exercises. For example, DOD's Domestic Preparedness Program tabletop exercises form the core of interagency exercises with a focus on domestic consequence management and intergovernmental participation.

International Crisis Exercises More Comprehensive Than Domestic Crisis Exercises

International crisis management exercises are more comprehensive than domestic exercises. DOD's and DOE's well-developed international field exercise programs have enhanced the preparedness of the federal government to conduct counterterrorist operations overseas. The State Department uses DOD-led and DOE-led exercises to practice its leadership role in international terrorist incidents. Each year, DOD and DOE sponsor several international interagency field exercises. Commanders and exercise planners take several steps to challenge participants in these exercises. For example, these exercises test rapid and no-notice deployment of command elements and tactical units to locations worldwide. In addition, these exercises also frequently test the FEST, so rapid and no-notice deployments also can be practiced by the full cadre of interagency players. While exercises do not guarantee success, they have resulted in a high degree of preparedness of federal agencies to operate overseas in a terrorist crisis.

Domestic crisis response exercises are led by law enforcement agencies and primarily provide tactical training to their crisis response teams. Many of these exercises center around the response capabilities of the lead agency, rather than coordinating an interagency response and therefore do not include many of the federal, state, and local agencies that would be needed to effectively respond, or the entire range of activities required to respond to a terrorist crisis.

The FBI's domestic crisis response program is well developed with regularly scheduled field exercises that test regional and field office capabilities at the tactical level.¹⁰ But the program generally does not exercise the broader interagency leadership role that the Bureau would play in a major terrorist incident. Some aspects of this leadership role have been tested in selected exercises, such as FBI-led exercises done in preparation for the Atlanta Olympics. The FBI has begun taking steps to enhance its program and it played a significant interagency leadership role in a June 1998 exercise sponsored by DOD. FBI officials noted that the Bureau had increased this program's budget resources—which they had previously cited as an impediment to a more robust program.

¹⁰For the purpose of this report, the tactical level refers to the personnel and activities occurring at a specific site to eliminate or capture a terrorist or terrorists and to render safe and remove a conventional or unconventional weapon or device.

The Secret Service conducts a variety of counterterrorist exercises for its special agents related to its mission to protect the President. The exercises generally involve continuity of operations of the White House or protecting the President or other officials. Some of the exercises included other federal agencies (generally DOD), state and local police, and fire and rescue authorities. The Secret Service generally did not conduct exercises with the FBI, although the two agencies have overlapping responsibilities at special events.¹¹ In the few cases in which both agencies participated in the same exercise, they did not exercise how they would interact in a terrorist incident. The Secret Service plans to increase the agency's counterterrorism exercise program to reflect its new role in certain special events. For example, in preparing for the World Energy Council in Houston in September 1998, the Secret Service conducted a tabletop exercise that included FBI and state and local authorities. In its comments on our classified report, the Secret Service stated that it planned to conduct the exercises with the FBI on scenarios where the two agencies need to work together.

ATF conducts exercises that test its crisis response and investigation roles in terrorist bombings. These exercises do not involve tests of ATF's supporting role in an interagency response led by the FBI. ATF generally does not exercise with FBI, although the two agencies have potentially overlapping responsibilities, such as in cases where the sources of bombings are unknown.¹² ATF is developing a crisis management exercise program similar to the FBI program. ATF exercises feature its Critical Incident Management Response Team and involve its regional Special Response Teams. FBI exercises feature its Critical Incident Response Group and involve its Hostage Rescue Team and regional Special Weapons and Tactics teams. The ATF and FBI scenarios that we reviewed were similar, and ATF officials were unable to make any distinction between their program and the FBI's program. Based upon our analysis of the ATF's program, it appears that ATF is exercising its lead in incidents in which the

¹¹In addition to both agencies providing some type of security function at special events, their statutory authorities may result in potential overlap. Secret Service has the statutory mission to protect the President and other protectees (18 U.S.C. 3056), and also investigates any threatening criminal activity against the President pursuant to that authority. The FBI has the statutory mission to investigate attacks upon the President (18 U.S.C. 1751).

¹²FBI and ATF have a 1973 Memorandum of Understanding on which agency has primary investigative jurisdiction in a bombing based upon such factors as the target of the bomb. If the perpetrator of the bombing is unclear, both agencies may claim jurisdiction. FBI and ATF officials have been meeting to resolve their differences on this issue.

FBI, not ATF, would lead. The lack of coordination on exercises between these two law enforcement agencies could reduce the effectiveness of the total federal response to a terrorist incident and lead to duplication of effort.

In addition, crisis management exercises, both international and domestic, always end in the successful tactical resolution of the incidents and do not include more likely scenarios where terrorist attacks are successful, or occur without adequate threat warning. Thus, the full gamut of interagency crisis management activities is not tested. For example, in the 3 years following PDD 39, the FBI did not conduct or participate in a field exercise that simulated the concurrence of crisis response and consequence management to deal with a major terrorist incident.

Consequence Management Exercises Not Comprehensive

Domestic consequence management exercises are not well developed. PDD 39 designated FEMA as the lead federal agency for consequence management in domestic terrorist events. In addition, the fiscal year 1995 Emergency Supplemental Appropriations tasked FEMA to develop exercises to focus on the consequences of terrorist incidents as part of its exercise program. In response to these taskings, FEMA sponsored a series of interagency counterterrorism tabletop exercises that focused on interagency and intergovernmental issues. However, FEMA has not planned or sponsored an interagency field exercise to test its consequence management leadership role. Tabletop exercises are useful to the extent they identify important policy and operational issues that need to be resolved. However, tabletop exercises are not a substitute for field exercises that test the federal government's ability to use and coordinate personnel and assets in a realistic setting. FEMA officials told us that they lack the resources to manage an interagency field exercise program. They also stated that they are reluctant to commit resources to field exercises because the Domestic Guidelines and CONPLAN are still not approved and that they do not want to exercise their staff using procedures that may not be correct because of additional changes in these guidance documents. Commenting on our classified report, FEMA noted that numerous other disaster-related operations (which were outside the scope of our review) significantly improved the federal government's overall response capabilities to conduct consequence management in terrorist incidents.

Federal agencies or entities other than FEMA have sponsored some consequence management field exercises. The Department of Veterans Affairs (VA) sponsored four recent domestic field exercises that dealt with

the medical aspects of consequence management in a terrorist attack using WMD. For example, in March 1997, VA sponsored an exercise, in conjunction with the state of Minnesota, that simulated a terrorist attack on a federal building with explosives laced with radioactive material, and the subsequent decontamination and treatment of hundreds of casualties. Commenting on our classified report, VA stated that numerous other disaster-related exercises (which were outside the scope of our review) also improved VA's consequence management capabilities. DOD sponsored two recent domestic field exercises that also dealt with the medical aspects of consequence management in a terrorist attack using WMD. For example, in September 1997, DOD sponsored a field exercise (co-sponsored by VA) to practice providing medical care to victims of a terrorist WMD attack. That exercise, which had over 2,000 participants, also included state and local responders, and local community hospitals.

In addition, some states and cities have sponsored field exercises on consequence management, some of them in conjunction with the DOD Domestic Preparedness Program. For example, in November 1997, New York City sponsored a field exercise based on a scenario where terrorists released chemical agents. The objectives of this exercise were to test first responder's ability to appropriately evaluate and respond to a chemical attack and fully integrate the city's incident command system. DOD, in conjunction with cities, plans to conduct more than 100 Domestic Preparedness Program field exercises in the next several years.

Better Processes to Capture Lessons Learned Could Improve Future Operations

Lessons learned processes are practices that allow an agency to learn from its successes and mistakes to improve its performance. We found that DOD, DOE, and FEMA had relatively good processes in place to capture and share lessons learned, while other agencies had less rigorous processes. There was also no interagency process in place to capture and share lessons learned, but agencies were starting to implement a process at the end of our review.

DOD, DOE, and FEMA Have Requirements and Processes to Capture Lessons Learned

A key part of any lessons learned process is preparing an After Action Report (AAR) or other evaluation that provides an official description of the results of an operation, special event, or exercise. An AAR typically includes a summary of objectives, operational limitations, major participants, a description of strengths and weaknesses, and recommended actions. Effective follow-up and validation also are important parts of a lessons learned process, as they are the only means to ensure that

problems have been corrected. Another important feature of a lessons learned process is the dissemination within an organization and, where appropriate, to other organizations, of aspects of operations that worked well and those that need further improvement or development. For counterterrorism operations, which are inherently interagency matters, the lessons learned process should also address the interaction between different agencies to highlight problems for resolution in interagency forums or by top national leadership.

The DOD and DOE processes for capturing lessons learned had several positive characteristics in comparison to the other agencies' processes we reviewed. DOD and DOE had requirements to produce AARs and their officials or contractors wrote AARs, made specific recommendations, disseminated AARs to different organizational units, and produced AARs for some exercises and events led by other agencies. For example, we observed DOE contractors as they entered lessons learned data "real time" during a June 1998 exercise led by DOD. Some DOD field exercises included data evaluation plans in advance to ensure that lessons were learned on the specific exercise objectives. In addition, DOD and DOE officials included interagency issues in their AARs and sometimes disseminated them to other agencies.

DOD and DOE officials cited the value of a sound AAR process to improving their performance and said that on the basis of issues identified in earlier AARs, they had improved operations. For example, DOD exercises helped determine and refine policy and procedures on the final disposition of WMD devices. Policy issues on this topic were identified in AARs going back to 1993. In the intervening years, DOD continued to include this issue in its tabletop exercises. In 1996, a new policy was incorporated into a formal contingency plan. The new policy was further tested in tabletop exercises in 1997 and finally in field exercises in 1998. While there are remaining issues to be resolved on the final disposition of a WMD device, DOD officials were able to track their progress on this issue. DOE reorganized its Nuclear Emergency Search Team on the basis of lessons learned from a series of exercises. We were able to track the evolution of the Nuclear Emergency Search Team through past evaluations and AARs written by DOE.

Although the DOD and DOE lessons learned processes were good in comparison to the other agencies we reviewed, we did note some weaknesses in their processes. DOD and DOE did not write AARs for all of the counterterrorism operations, special events, or exercises that they

participated in. Both DOD and DOE officials stated that emerging crises or the tempo of operations did not always allow staff to write AARs. In addition, dissemination of lessons learned were sometimes limited because of security classifications. Finally, our prior report, which included a broader and more detailed review of DOD's lessons learned programs, discussed weaknesses in the collection, analysis, dissemination, and ultimate use of lessons learned.¹³

FEMA also had relatively sound lessons learned requirements and processes as part of its Comprehensive Exercise Program for designing, conducting, and evaluating exercises. For several years, FEMA had been developing computer software to record lessons learned from exercises and monitor corrective actions.¹⁴ FEMA produced AARs on the tabletop exercises it led but not for exercises led by other agencies. Contractors usually wrote AARs and FEMA officials reviewed and approved them. FEMA disseminated its AARs both internally and externally. FEMA's AARs generally included interagency issues for those exercises that included other agencies. For example, the AAR on FEMA's June 1996 "Cirrus Wind" exercise stressed the need for FEMA and FBI to work together to understand their responsibilities for consequence and crisis management.

Other Agencies' Lessons Learned Processes Not Well Developed

Federal agencies other than DOD, DOE, and FEMA had less rigorous processes for capturing lessons learned and producing AARs. The other agencies did not have a written policy that required that they produce AARs or a formal process to capture lessons learned. The production of AARs by some of these other agencies was sporadic, particularly for operations, special events, and exercises led by other agencies. In addition, few of these other agencies included discussions of interagency issues in their AARs. Finally, the dissemination of AARs was limited at many agencies, which minimized the benefits of lessons learned. These limitations make it more difficult for the agencies to capture the strengths and weaknesses shown in operations or exercises so they can continue or expand good practices or take corrective actions when necessary to improve future performance. Table 2 describes selected agencies' processes for capturing lessons learned and producing AARs.

¹³See [Military Training: Potential to Use Lessons Learned to Avoid Past Mistakes is Largely Untapped](#) (GAO/NSIAD-95-152, Aug. 9, 1995). While the review examined DOD lessons learned processes, it did not specifically focus on counterterrorist operations or exercises.

¹⁴At the end of our review, FEMA officials told us they were testing software to implement this corrective action program throughout the agency.

Table 2: Characteristics of Federal Agencies' Processes to Capture Lessons Learned From Counterterrorist Operations, Special Events, and Exercises

Agency	Agency policy and/or process to capture lessons learned	Actual agency production of after action reports	AAR discussion of interagency issues and dissemination
DOD	Policy requires AARs; formal process is Joint Universal Lessons Learned System.	Generally produces AARs for operations, special events, and exercises, including those led by other agencies.	AARs generally discuss interagency issues; AARs disseminated internally and sometimes externally.
DOE	Policy requires AARs; formal process is After Action Tracking System.	Generally produces AARs for special events and exercises, including those led by other agencies.	AARs generally discuss interagency issues; AARs disseminated internally and sometimes externally.
FEMA	Policy requires AARs; formal process is Corrective Action Program.	Produces no AARs for special events; produces AARs for FEMA exercises, but not those led by other agencies.	AARs generally discuss interagency issues; AARs disseminated internally and sometimes externally.
ATF	No formal policy or process.	Produces AARs for some operations; produces no AARs for special events; produces AARs for ATF exercises, but not those led by other agencies.	AARs do not discuss interagency issues; AARs disseminated internally.
FBI	No formal policy or process.	Produces no AARs for operations or special events; generally produces AARs for FBI field exercises but not tabletop exercises or those led by other agencies.	AARs generally do not discuss interagency issues; AARs disseminated internally to participating FBI offices, but not to FBI Headquarters or externally.
EPA	No formal policy or process.	Sometimes produces AARs for special events and exercises, including those led by other agencies.	AARs generally discuss interagency issues; AARs disseminated internally, but not externally.
Secret Service	No formal policy or process.	Generally produces AARs for special events; produces no AARs for exercises led by Secret Service or other agencies.	AARs generally do not discuss interagency issues; AARs not disseminated internally or externally.
State	No formal policy or process.	Rarely produces AARs for operations and exercises, even if led by State.	Not applicable. AARs rarely done.
HHS	No formal policy or process.	Rarely produces AARs for operations or exercises, even if led by HHS.	Not applicable. AARs rarely done.

Note: We did not include VA or CIA in this table because we did not conduct detailed reviews of their processes to capture lessons learned. Both agencies did write AARs for selected exercises.

Source: Our analysis of agencies' data.

Many agencies did not produce AARs even in cases where they led an exercise. Agencies lead exercises because they have specific objectives to achieve, and one purpose of exercises is to capture lessons that might improve future operations. Nevertheless, we found many cases where agencies devoted their resources to develop exercise objectives and conduct an exercise, yet did not write AARs. For example, the FBI has sponsored the Weapons of Mass Destruction Interagency Support Exercise

series, which includes numerous federal agencies and has the objective to advance interagency coordination for terrorist attacks. However, FBI has not produced AARs on any of the four tabletop exercises. Table 3 shows whether agencies produced AARs for the exercises they led.

Table 3: Production of After Action Reports by Selected Federal Agencies for the Counterterrorism Exercises They Led in the 3 Years Following PDD 39 (June 1995 to June 1998).

Agency	Total exercises led by agency	AARs produced by lead agency
DOD	97	79 (81%)
Secret Service	47	0
FBI	22	13 (59%)
FEMA	16	14 (88%)
DOE	5	5 (100%)
ATF	4	4 (100%)
VA	4	2 (50%)
HHS	3	0
State	1	0
EPA	1	1 (100%)
Other	3	1 (33%)

Note: Includes both tabletop and field exercises the agency led. The Secret Service noted that its lessons learned are based on special events, not its exercise program. Other government agencies include the Department of Transportation, U.S. Capitol Police, and 13 other agencies, offices or bureaus.

Source: Our analysis of agencies' data.

Many agencies also did not produce AARs when they participated in a field exercise. Field exercises are very resource intensive because they require a great deal of advance planning and because agency personnel and equipment actually deploy to another location. Again, we found cases where agencies led or otherwise participated in field exercises but did not produce AARs. For example, in a recent DOD-sponsored field exercise, FEMA developed specific objectives and tasks to be accomplished and sent several staff to planning meetings and to the week-long exercise itself, yet it did not produce an AAR. Table 4 shows the extent to which agencies produced AARs for field exercises that they participated in.

Table 4: Production of After Action Reports by Selected Federal Agencies for Counterterrorist Field Exercises That They Participated in for the 3 Years Following PDD 39 (June 1995 to June 1998).

Agency	Total field exercises agency participated in	AARs produced for field exercises by agency
DOD	72	38 (53%)
Secret Service	52	0
FBI	32	18 (56%)
FEMA	16	0
State	15	1 (7%)
DOE	13	10 (77%)
HHS	13	2 (15%)
ATF	9	4 (44%)
VA	6	2 (33%)
EPA	4	1 (25%)
Other	14	0

Note: Includes all field exercises, whether the agency led the exercise or not. Secret Service noted that its lessons learned are based on special events, not its exercise program. Other government agencies include the Department of Transportation, U.S. Capitol Police, and 13 other agencies, offices, or bureaus.

Source: Our analysis of agencies' data.

Officials from these agencies generally cited a lack of dedicated staff or the tempo of ongoing operations or exercises as reasons they did not write AARs or otherwise capture lessons learned. In our view, agencies that devote the resources to lead exercises or to participate in other agencies' field exercises should also devote the resources to writing AARs to capture lessons learned. Some officials noted that they hold a "hotwash" (i.e., an oral AAR discussion) after an exercise which, they said, served the purpose of capturing lessons learned. Hotwashes are valuable because they are held immediately after exercises; however, their value is limited to the participants that attend. Written AARs, on the other hand, provide accountability because they identify and document problems or issues and can be used to track the progress of corrective action. By not producing written AARs, agencies are forfeiting many of the benefits of participating in exercises. In commenting on our classified report, several agencies cited efforts underway to develop or improve processes for capturing lessons learned at their individual agencies.

Interagency Lessons Learned Process Being Developed

The 1996 Nunn-Lugar hearings highlighted that, although some agencies wrote AARs and made recommendations, there were recurrent interagency problems because there was no central place where officials assembled and analyzed AARs together to discuss interagency problems. During our review, we also found no AAR or lessons learned process at the interagency level. The Exercise Subgroup charter included the discussion of lessons learned and AARs. While this interagency forum had been used to discuss specific exercises, there was no process to review individual agency AARs that raise interagency issues. For more than 2 years, the group has discussed developing a formal interagency process and has looked specifically at the processes being used by DOD and DOE. The State Department has been a repository for various agencies' AARs for international exercises, but Department officials there said they lacked the staff and standing to analyze them, separate out the interagency issues, and prepare related evaluations or make recommendations. At the time of our review, the FBI was in charge of developing an interagency AAR process, but no decisions had been made. In commenting on our classified report, several agencies noted that the Exercise Subgroup had recently adopted an interagency AAR process and was starting to implement it.

Conclusions

During the last 3 years, federal agencies have worked together in many operations and special events and have generally coordinated their activities. However, issues of interagency guidance and command and control remain that need to be addressed to enhance the federal government's ability to effectively respond to terrorist incidents. Federal agencies have participated in many interagency counterterrorism exercises in the last 3 years. However, an interagency exercise program, as directed in PDD 39, has not been fully achieved, so exercises have not generally practiced key transfers of authority among responding federal agencies. International field exercises, generally led by DOD, include the full cadre of interagency players in demanding scenarios and some are done with no notice. In contrast, domestic counterterrorism exercises are not as demanding in testing the interagency ability to respond. The FBI's crisis management field exercises have provided good practice for its tactical response units but have generally not exercised the Bureau's interagency leadership role and rapid deployments for no-warning terrorist attacks. FEMA's consequence management exercises have been limited to tabletop exercises that do not fully test the federal government's ability to provide a rapid interagency response in a realistic exercise environment. Although agencies can benefit most from counterterrorism exercises if they produce

AARs and have a process to capture lessons learned, most of the agencies that we reviewed did not do so. Although counterterrorism is inherently an interagency response, there was also no interagency process to capture lessons learned. At the close of our review, agencies said they were adopting several measures to address these issues at both the agency and interagency level.

Recommendations

This report makes no recommendations. However, in our classified report, we made several recommendations to enhance interagency guidance, command and control, exercises, and processes to capture and share lessons learned. DOD classified these recommendations as a result of its security review of our classified report.

Agency Comments

We received written comments on our classified report from 15 agencies, including the Departments of Justice, State, Treasury; DOD, DOE, HHS, VA; and FEMA, EPA, CIA, NRC, ATF, the Secret Service, U.S. Customs Service, and Internal Revenue Service. The National Security Council declined to provide official comments on the report. Many of the agencies concurred or partially concurred with the report and our recommendations and cited recent steps taken to implement them. For example, DOE stated that our report was an accurate assessment of both the progress and the lingering shortfalls within the interagency counterterrorist community. NRC stated that our recommendations will provide a blueprint for resolving many of the interagency difficulties outlined in the report. Other agencies did not concur with parts of our report and provided additional information about their programs or cited improvements underway. For example, the Department of Justice cited progress in interagency guidance, command and control relationships, exercise programs, and processes to capture lessons learned. We did not reproduce agency comments in this report due to security classification reasons. However, we incorporated their unclassified comments in this report as appropriate.

Scope and Methodology

We focused our examination on counterterrorist activities in the 3-year period following the issuance of PDD 39 in June 1995. We obtained documents and interviewed officials at the Departments of Justice, State, Treasury (including the Secret Service and ATF), DOD, DOE, HHS, VA, CIA, EPA, FEMA, NRC, and the U.S. Capitol Police. We also obtained information on matters pertaining to intergovernmental counterterrorist

operations (e.g., those involving federal, state, and local entities) from state and local officials and selected federal field offices in the course of our related work on DOD's Domestic Preparedness Program.

We compiled a list of 230 counterterrorism activities that included operations, special events, and exercises that were conducted from June 1995 to June 1998. In some cases, we discussed counterterrorist activities before and after that period, but we did not include them in the statistics we compiled and analyzed. We did not review covert activities or law enforcement cases (e.g., criminal investigations and arrests of terrorists) except in the cases of overseas arrests, which are interagency operations. We also did not include aircraft hijackings or related exercises, where the Federal Aviation Administration is generally the lead federal agency. To ensure the accuracy of our list of activities, appropriate federal agencies reviewed it for completeness and accuracy. We also examined policy guidelines, contingency plans, AARs, and other documents from actual operations, special events, and exercises. Further, we attended and observed interagency meetings, planning sessions, and exercises.

We performed our work in accordance with generally accepted government auditing standards between November 1997 and September 1998.

As agreed with your offices, unless you publicly announce the contents of this report earlier, we plan no further distribution of this report until 30 days after its issue date. At that time we will send copies to appropriate congressional committees, the federal agencies discussed in this report, and to the Director of the Office of Management and Budget. We also will make copies available to other interested parties upon request.

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Related GAO Products

Terrorism and Drug Trafficking: Testing Status and Views on Operational Viability of Pulsed Fast Nuetron Analysis Technology (GAO/GGD-99-54, Apr. 13, 1999).

Combating Terrorism: Observations on Biological Terrorism and Public Health Initiatives (GAO/T-NSIAD-99-112, Mar. 16, 1999).

Combating Terrorism: Observations on Federal Spending to Combat Terrorism (GAO/T-NSIAD/GGD-99-107, Mar. 11, 1999).

Combating Terrorism: FBI's Use of Federal Funds for Counterterrorism-Related Activities (FYs 1995-98) (GAO/GGD-99-7, Nov. 20, 1998).

Combating Terrorism: Opportunities to Improve Domestic Preparedness Program Focus and Efficiency (GAO/NSIAD-99-3, Nov. 12, 1998).

Combating Terrorism: Observations on the Nunn-Lugar-Domenici Domestic Preparedness Program (GAO/T-NSIAD-99-16, Oct. 2, 1998).

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